

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO *ex rel.*  
State Engineer,

Plaintiff,  
v.

RAMON ARAGON, *et al.*,

Defendants.

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69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM  
Rio Cebolla, Section 3  
Subfile No.: CHCB-002-0011

**CONSENT ORDER**

The Court, having considered the agreement between the Plaintiff State of New Mexico and Defendant(s):

JOSE I. LUCAS CORDOVA

concerning the Defendant's right to use the public waters of the Rio Chama Stream System, as set forth below finds:

1. The Court has jurisdiction over the parties and the subject matter of this suit.
2. The State of New Mexico and the above-named Defendant(s) are in agreement concerning certain elements of Defendant's right to divert and use the public waters of the Rio Chama Stream System, Rio Cebolla, Section 3, and by their signatures appearing below, the State and the Defendant(s) have approved and accepted the elements of Defendant's water rights as set forth in paragraph 4 herein.
3. There is no just reason for delay for the entry of a final judgment as to the elements of the claims of the Defendant(s) adjudicated by this order.

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4. The right of the Defendant(s) to divert and use the public waters from the Rio Chama Stream System, Rio Cebolla, Section 3, is set forth below:

**A. IRRIGATED LANDS (Surface Water Only):**

**Office of the State Engineer Files No(s)** 01413, 01414

**Priority:** Reserved for future determination by court order entered July 25, 2000.

**Source of Water:** Surface waters of the Rito del Medio, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

**Purpose of Use:** IRRIGATION

**Point of Diversion:**

**Ditch:** VENCESLAO MARTINEZ DITCH

**Location:** X= 1,582,659 feet Y= 2,019,413 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Irrigated Acreage:**

Section 25, Township 27N, Range 04E, N.M.P.M.

Pt. NE $\frac{1}{4}$	0.1 acres
Pt. NW $\frac{1}{4}$	5.4 acres
Pt. SW $\frac{1}{4}$	48.7 acres
Total	54.2 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

**Amount of Water:** Reserved for future determination by court order entered July 25, 2000.

**B. NO RIGHT (Surface Water Only):**

**Office of the State Engineer Files No(s)** NONE

**Priority:** NONE

**Source of Water:** Surface waters of the Rito del Medio, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

**Purpose of Use:** NO RIGHT

**Point of Diversion:**

**Ditch:** VENCESLAO MARTINEZ DITCH

**Location:** X= 1,582,659 feet Y= 2,019,413 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Acreage**

Section 26, Township 27N, Range 04E, N.M.P.M.

Pt. NE $\frac{1}{4}$	2.1 acres
Pt. SE $\frac{1}{4}$	0.2 acres
Total	2.3 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

**Amount of Water:** NONE

**C. IRRIGATED LANDS (Surface Water Only):**

**Office of the State Engineer Files No(s)** 01133-01167

**Priority:** Reserved for future determination by court order entered July 25, 2000.

**Source of Water:** Surface waters of the Rito Cienega Redonda, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

**Purpose of Use:** IRRIGATION

**Point of Diversion:**

**Ditch:** MARTINEZ - CORDOVA NORTH DITCH

**Location:** X= 1,577,438 feet Y= 2,015.387 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Irrigated Acreage:**

Section 25, Township 27N, Range 04E, N.M.P.M.

Pt. SW $\frac{1}{4}$	2.6 acres
Total	2.6 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

**Amount of Water:** Reserved for future determination by court order entered July 25, 2000.

**D. IRRIGATED LANDS (Surface Water Only):**

**Office of the State Engineer Files No(s)** 01133 - 01167

**Priority:** Reserved for future determination by court order entered July 25, 2000.

**Source of Water:** Surface waters of the Rito Cienega Redonda, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

**Purpose of Use:** IRRIGATION

**Point of Diversion:**

**Ditch:** CORDOVA - MAES NORTH DITCH

**Location:** X= 1,575,973 feet Y= 2,016,586 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Irrigated Acreage:**

Section 25, Township 27N, Range 04E, N.M.P.M.

Pt. SW $\frac{1}{4}$	10.1 acres
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Section 26, Township 27N, Range 04E, N.M.P.M.

Pt. SE $\frac{1}{4}$	11.9 acres
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Total	22.0 acres
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As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

**Amount of Water:** Reserved for future determination by court order entered July 25, 2000.

**E. IRRIGATED LANDS (Surface Water Only):**

**Office of the State Engineer Files No(s)** NONE

**Priority:** Reserved for future determination by court order entered July 25, 2000.

**Source of Water:** Surface waters of the Rito del Tanque, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

**Purpose of Use:** IRRIGATION

**Point of Diversion:**

**Ditch:** QUINTANA DITCH

**Location:** X= 1,574,233 feet Y= 2,018,349 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Irrigated Acreage:**

Section 26, Township 27N, Range 04E, N.M.P.M.

Pt. NE $\frac{1}{4}$	1.1 acres
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Pt. SE $\frac{1}{4}$	4.9 acres
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Total 6.0 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

**Amount of Water:** Reserved for future determination by court order entered July 25, 2000.

**F. IRRIGATED LANDS (Surface Water Only):**

**Office of the State Engineer Files No(s)** 0604

**Priority:** Reserved for future determination by court order entered July 25, 2000.

**Source of Water:** Surface waters of the Rito del Tanque, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

**Purpose of Use:** IRRIGATION

**Point of Diversion:**

**Ditch:** ACEQUIA MADRE DE CEBOLLA

**Location:** X= 1,573,684 feet Y= 2,017,953 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Irrigated Acreage:**

Section 26, Township 27N, Range 04E, N.M.P.M.

Pt. SE $\frac{1}{4}$	4.9 acres
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Total	4.9 acres
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As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

**Amount of Water:** Reserved for future determination by court order entered July 25, 2000.

**G. IRRIGATED LANDS (Surface Water Only):**

**Office of the State Engineer Files No(s)** NONE

**Priority:** Reserved for future determination by court order entered July 25, 2000.

**Source of Water:** Surface waters of the Rito del Tanque, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

**Purpose of Use:** IRRIGATION

**Point of Diversion:**

**Ditch:** UNNAMED DITCH NO. 2

**Location:** X= 1,573,354 feet Y= 2,016,691 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

**Location and Amount of Irrigated Acreage:**

Section 26, Township 27N, Range 04E, N.M.P.M.

Pt. SE $\frac{1}{4}$	2.6 acres
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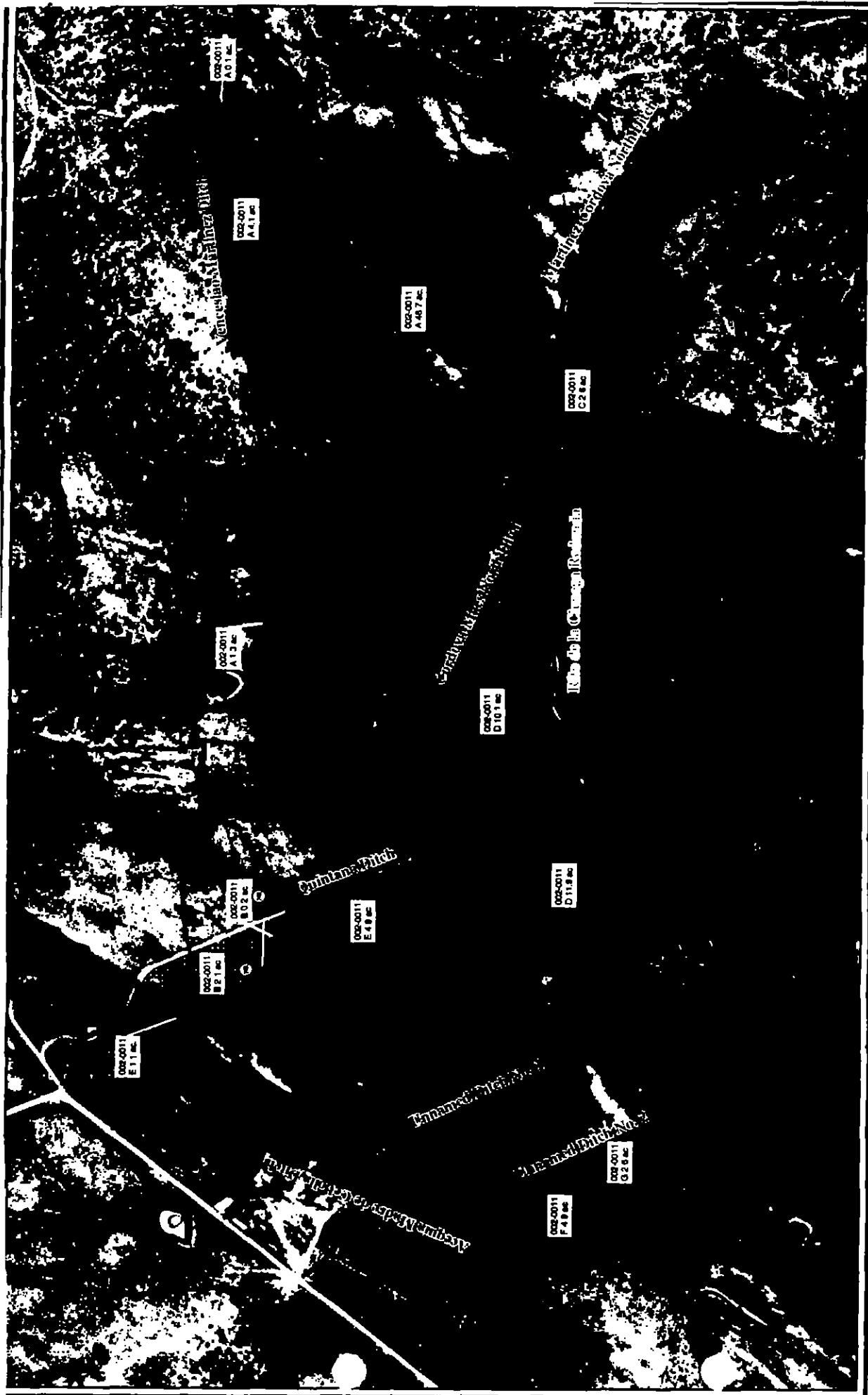
Total	2.6 acres
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As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-002-0011

**Amount of Water:** Reserved for future determination by court order entered July 25, 2000.

5. Defendant(s) have no surface water rights in the Rio Chama Stream System, Rio Cebolla, Section 3, other than those set forth in this order and those other orders entered by this Court in this cause.
6. Defendant(s), his or her successors, representatives, heirs and assigns, should be enjoined from any use of the surface waters of the Rio Chama Stream System, Rio Cebolla, Section 3, except in strict accordance with the water rights described herein.
7. The water rights described herein, if any, are adjudicated subject to the right of any other water right claimant with standing to object prior to the entry of a final decree.

IT IS THEREFORE ORDERED that the rights of the Defendant(s) to divert and use the waters of the Rio Chama Stream System, Rio Cebolla, Section 3, are as set forth herein. The Defendant(s), his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Rio Cebolla, Section 3, except in strict accordance with the rights set forth herein or in other orders of the Court.



 <b>STATE OF NEW MEXICO</b> Office of the State Engineer John R. D'Antonio, Jr., P.E., State Engineer  <b>Rio Chama Hydrographic Survey</b> <b>Rio Cebolla Section</b>	Subfile Number <b>CHCB 002-0011</b> Venceslao Martinez, Cordova-Maes North and Quintana Ditch, Unnamed Ditch No. 2, Aquequia Madre de Cebolla AMENDED September 11, 2003
	 1 inch = 500 feet 